

## SB 212 Enforcement of Medical Marijuana Limitation

SENATE JUDICIARY  
EXHIBIT NO. 8  
DATE 1/21/09  
BILL NO. SB212

### Recommendation for Amendment:

I listened very carefully to the opponents concerns about this bill. Most of their testimony was not relevant, and some suggested outcomes which are not supported by the facts. However, to make the bill more acceptable to all concerned parties, I would suggest the following amendments:

Scratch 61-8-402 (6) -- requiring officer to take card and send it to DPHHS

Scratch (2) (b) (ii) – requiring officer to request blood tests

One suggestion from the opponents was that all persons who are using prescription drugs and drive should be subject to the same statute. I agree, but that probably can't be done under the scope of this bill. You could make this change:

61-8-408 (3) If the arrested person possesses a registry identification card pursuant to 50-46-103, results of any non-negative THC levels analyzed by the state crime lab will be reported to the department of public health and human services.

Senator Shockley has requested that I get information from the state crime lab about their toxicology testing procedures relevant to THC and metabolites. I spoke with Jim Hutchison, 329-1114, who will fax that information to Senator Shockley this morning.

Please note that this bill does not "take away my medicine for life." The bill empowers the dphhs to revoke a registration card. DPHHS may make rules about how that decision is made, appeal process, procedure for reinstatement, etc. Right now DPHHS has told me that they do not have statutory authority to revoke a registration for a person who violates the limitations.

Thank you for your consideration,

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